

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRENNAN McNALLY,)	
)	Civil Action No. 06 - 1104
Plaintiff,)	
)	
v.)	Judge Terrence F. McVerry
)	Magistrate Judge Lisa Pupo Lenihan
CLIENT SERVICES, INC., et)	
al.,)	Doc. Nos. 64, 67, 69, 71, 73
)	
)	
Defendants.)	

MEMORANDUM ORDER

The complaint in the above captioned case was received by the Clerk of Court on August 21, 2006, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Amended Report and Recommendation (Doc. No. 84), filed on November 28, 2007, recommended that the Motions to Dismiss the Amended Complaint filed by Defendants Scott Bay (Doc. No. 67), Dominic Mozee (Doc. No. 69), Rebecca Schoen (Doc. No. 71), and William Watson (Doc. No. 73), be granted, and that the Motion to Dismiss the Amended Complaint filed by Defendant Client Services, Inc. (Doc. No. 64), be denied. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrate Judges, that they had ten (10) days to file any objections. Plaintiff filed Objections to the Report and Recommendation (Doc. No. 83) on November 21, 2007, which the Magistrate Judge deemed to be filed as

to the Amended Report and Recommendation. See Text-only Order dated November 28, 2007. On December 13, 2007, Defendant Client Services, Inc., filed objections to the Amended Report and Recommendation and, along with the individual Defendants, Scott Bay, Dominic Mozee, Rebecca Schoen, and William Watson, filed a response to Plaintiff's objections (Doc. 87.)

After review of the pleadings and documents in the case, together with the Amended Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, this 20th day of December, 2007,

IT IS HEREBY ORDERED that the Motions to Dismiss filed by Defendants Scott Bay (Doc. No. 67), Dominic Mozee (Doc. No. 69), Rebecca Schoen (Doc. No. 71), and William Watson (Doc. No. 73), are **GRANTED** and the Amended Complaint against Defendants Scott Bay, Dominic Mozee, Rebecca Schoen, and William Watson is **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that the Motion to Dismiss the Amended Complaint filed by Defendant Client Services, Inc. (Doc. No. 64) is **DENIED**.

IT IS FURTHER ORDERED that the Amended Report and Recommendation (Doc. No. 84) of Magistrate Judge Lenihan, dated November 28, 2007, is adopted as the opinion of the Court.

s/ Terrence F. McVerry
United States District Judge

cc: Lisa Pupo Lenihan
U.S. Magistrate Judge

All Counsel of Record
Via Electronic Mail